

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

MAILED

JUL 06 2006

U.S. PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte BRIAN FRANCIS GRAY
and RYO MINOGUCHI

Application No. 10/009,087

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on July 5, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below.

The Examiner's Answer mailed January 22, 2006 is defective because the prior art relied upon is not stated in paragraph 8 in the Examiner's Answer. See the Manual of Patent Examining Procedure (MPEP) §1207.02. This is needed to process the case. Appropriate correction is required.

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Accordingly, it is

ORDERED that the application is returned to the Examiner to list the prior art relied upon in paragraph 8 in the Examiner's Answer, and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By:



Dale M. Shaw

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